

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE NEW ENGLAND COMPOUNDING)	
PHARMACY, INC. PRODUCTS)	MDL No. 2419
LIABILITY LITIGATION)	
Plaintiffs,)	Docket No. 1:13-md-2419 (RWZ)
)	
This document relates to:)	
)	
Armetta, et al. v. Box Hill Surgery Center,)	
LLC, et al.)	
No. 1:14-cv-14022-RWZ)	
)	
Bowman, et al. v. Box Hill Surgery Center,)	
LLC, et al.)	<u>PLAINTIFF'S MOTION FOR LEAVE</u>
No. 1:14-cv-14028-RWZ)	<u>TO APPEAR VIA TELEPHONE AT</u>
)	<u>JULY 14, 2016, MOTION HEARING</u>
Davis, et al. v. Box Hill Surgery Center, LLC,)	
et al.)	
No. 1:14-cv-14033-RWZ)	
)	
Dreisch, et al. v. Box Hill Surgery Center,)	
LLC, et al.)	
No. 1:14-cv-14029-RWZ)	
)	
Farthing, et al. v. Box Hill Surgery Center,)	
LLC, et al.)	
No. 1:14-cv-14036-RWZ)	
)	
Kashi, et al. v. Box Hill Surgery Center, LLC,)	
et al.)	
No. 1:14-cv-14026-RWZ)	
)	
Torbeck, et al. v. Box Hill Surgery Center,)	
LLC, et al.,)	
No. 1:14-cv-14023-RWZ)	
)	
Handy v. Box Hill Surgery Center, LLC, et al.)	
No. 1:14-cv-14019-RWZ)	

Plaintiff, by her undersigned counsel, hereby move for this Court to allow attorneys Harry M. Roth and/or Michael Coren to appear via telephone at the July 14, 2016 Motion Hearing before

the Honorable Jennifer C. Boal, and in support thereof aver as follows:

1. Counsel for non-party Barbara Wagner, Ashley L. Marucci, filed a Motion for Protective Order as to Plaintiffs' Notice of Deposition *Duces Tecum* of Barbara Wagner [Dkt 2953, 2927]. A hearing to address the Motion for Protective Order is scheduled for July 14, 2016 at 3:30 p.m.

2. On June 30, 2016, Ms. Wagner's counsel filed a motion for leave to appear by telephone [Dkt 2963]. Likewise, on July 1, 2016, Greg Kirby, counsel for the Box Hill Defendants filed a motion for leave to appear by telephone [Dkt 2964]. Finally, on July 6, 2016, Patricia Kaputys, counsel for Plaintiffs Armetta, Borman, Davis, Dreisch, Farthing, Kathi, Torbeck et al. filed a motion for leave to appear by telephone [Dkt 2970].

2. Plaintiff's attorneys, Harry M. Roth and Michael Coren are both located in Southeastern Pennsylvania. Although Mr. Roth and Mr. Coren have been admitted to practice *pro hac vice* before this Court in this MDL proceedings, it would place an undue burden and expense for Mr. Roth or Mr. Coren to be required to travel to Massachusetts for the scheduled hearing on the Motion for Protective Order.

3. Accordingly, Mr. Roth and Mr. Coren respectfully request leave to appear for the hearing to address the Motion for Protective Order via telephone before Judge Jennifer C. Boal on July 14, 2016, at 3:30 p.m.

WHEREFORE, Plaintiff respectfully requests that the undersigned counsel be permitted to appear via telephone during the July 14, 2016 hearing on non-party Barbara Wagner's Motion for Protective Order, and request such other relief as this Court deems just and proper under the circumstances.

Respectfully submitted,

/s/ Michael Coren
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CERTIFICATE OF SERVICE

I, Michael Coren, hereby certify that a copy of the foregoing document, filed through the CM/ECF system will be accessible to those attorneys who are registered with the Court's electronic filing system and Notice of Electronic filing (NEF), including the attorneys representing the defendants in the above-referenced individual cases, and will be sent to these parties by operation of the CM/ECF system.

Dated: July 8, 2016

/s/ Michael Coren

Michael Coren